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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,760	01/22/2001	Jeffrey Jacobson	21300.105006	1263

20786 7590 09/26/2003

KING & SPALDING  
191 PEACHTREE STREET, N.E.  
ATLANTA, GA 30303-1763

EXAMINER
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GART, MATTHEW S

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 09/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/766,760

Applicant(s)

JACOBSON ET AL.

Examiner

Matthew s Gart

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4, 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

## **DETAILED ACTION**

### ***Drawings***

This application has been filed with informal drawings, which are acceptable for examination purposes only. Various figures contain improper shading, which may affect clarity when reproduced.

Applicant is required to submit a formal correction of the noted defect. Applicant is required to submit drawing corrections promptly. Drawing objections may no longer be held in abeyance.

### ***Specification***

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-10 are rejected under 35 U.S.C. 102(e) as being Ketterer by US**

**Patent Publication 2002/0052814.**

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Referring to claim 1. An on-line real estate information aggregation system, comprising:

- A distributed computer network (Fig. 5, "World Wide Web");
- A plurality of client computers coupled to said distributed computer network (Fig. 5, "Real Estate Seller PC, Prospective Real Estate Buyer PC, etc.");
- A property services server platform connected to a data source (Fig. 5, "National and Local Services / Goods Providers");
- A research market module hosted on said property services server platform for accessing research information on available properties and markets (paragraph 0020);
- A credit reports module hosted on said property services server platform for accessing credit report information of individuals and companies (paragraph 0020 and paragraph 0154);
- A news and analysis module hosted on said property services server platform for accessing real estate news information (paragraph 0020 paragraph 0022); and
- An order available reports module hosted on said property services server platform for enabling the purchase of market reports (paragraph 0020 and paragraph 0143).

Referring to claim 2. Ketterer further discloses a system wherein said research market module includes links to related services and business tools (Fig. 5).

Referring to claim 3. Ketterer further discloses a system wherein said related services and business tools comprise at least one of appraisal services, engineering

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services, surveying services, permit services, title services, and construction services (Fig. 5 and paragraph 0020).

Referring to claim 4. Ketterer further discloses a system wherein said research market module is operative to:

- Receive search criteria for a desired property or market from a client computer (paragraph 0004);
- Compare the received search criteria with research information stored in said data source (paragraph 0004); and
- If the received search criteria matches the stored research information providing the stored research information to the client computer (paragraph 0004).

Referring to claim 5. Ketterer further discloses a system wherein said research market module is operative to:

- Receive search criteria for a desired category of news from a client computer (paragraph 0004 and paragraph 0022);
- Compare the received search criteria with real estate news information stored in said data source (paragraph 0004 and paragraph 0022); and
- If the received search criteria matches the stored real estate news information providing the stored research information to the client computer (paragraph 0004 and paragraph 0022).

Referring to claim 6. Claim 6 is rejected under the same rationale as set forth above in claim 1.

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Referring to claim 7. Claim 7 is rejected under the same rationale as set forth above in claim 2.

Referring to claim 8. Claim 8 is rejected under the same rationale as set forth above in claim 3.

Referring to claim 9. Claim 9 is rejected under the same rationale as set forth above in claim 4.

Referring to claim 10. Claim 10 is rejected under the same rationale as set forth above in claim 5.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Brock, SR., US Patent Application Publication US 2002/0035535 A1, March 21, 2002, discloses a method and system for providing real estate information.

Any inquiry concerning this communication should be directed to Matthew Gart whose telephone number is 703-305-5355. This examiner can normally be reached Monday-Friday, 8:30AM-5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins can be reached on 703-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703-

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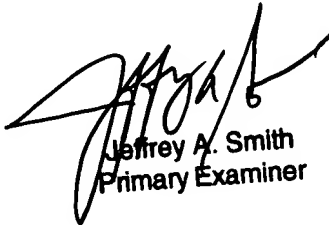
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746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MSG

September 17, 2003



Jeffrey A. Smith  
Primary Examiner